

Message Text

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62

ACTION NEA-16

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20

USIA-15 OMB-01 AID-20 DRC-01 /113 W

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R 261439Z JUN 74

FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC 2296

INFO AMEMBASSY KATHMANDU

AMCONSUL BOMBAY

AMCONSUL CALCUTTA

AMCONSUL MADRAS

LIMITED OFFICIAL USE NEW DELHI 8517

E.O. 11652: N/A

TAGS: PINT, IN, SK

SUBJECT: SIKKIM

1. THE CHOGYAL ARRIVED IN DELHI YESTERDAY EVENING AND IS EXPECTED TO TALK TO THE FOREIGN MINISTER AND OTHER EXTERNAL AFFAIRS MINISTRY OFFICIALS TODAY. HE HAS ALREADY BEEN TALKING TO THE PRESS, AND HIS VIEWS ON CURRENT MANEUVERING OVER SIKKIM HAVE APPEARED FOR THE FIRST TIME IN PAPERS HERE. WE STILL DO NOT KNOW WHETHER HE WILL SEE THE PRIME MINISTER.

2. THE CHOGYAL TOLD THE PRESS HE HAD NOT AGREED TO THE DRAFT CONSTITUTION WHEN HE VISITED DELHI EARLIER THIS MONTH--AS GOI SOURCES REPORTED; THAT THE SIKKIM ASSEMBLY CONSIDERED AND MADE RECOMMENDATIONS ON A DRAFT; AND THAT HE WAS CONSIDERING THESE RECOMMENDATIONS AND WAS NOT BLOCKING AND HAD NOT REJECTED ADOPTION OF THE CONSTITUTION. HE SAID THE GOI HAD RIGHTS AND OBLIGATIONS UNDER THE 1950 TREATY WHICH SHOULD BE RESPECTED AND NOT WHITTLED AWAY; SIKKIM'S SEPARATE IDENTITY AS A PROTECTORATE OF INDIA UNDER THE TREATY SHOULD NOT BE AFFECTED.

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3. THE INDIANS HAVE NOW RELEASED THE TEXT OF THE NEW SIKKIM

CONSITUTION (ACTUALLY CALLED THE GOVERNMENT OF SIKKIM BILL, 1974). IT LEAVES LITTLE POWER OR DISCRETION TO THE CHOGYAL WHATSOEVER. THE OATHS OF OFFICE OF ASSEMBLY MEMBERS AND OTHER OFFICIALS ARE TO UPHOLD THE CONSITUTION OF SIKKIM AND MAKE NO REFERENCE TO THE CHOGYAL; THE CHOGYAL IS ABLE TO DO NOTHING TO AFFECT GOVERNMENT ACTIONS WITHOUT THE CONSENT OF THE INDIAN CHIEF EXECUTIVE; AND ARTICLE 30 (WHICH MAY REPRESENT THE ADDED AMENDMENTS TO THE ORIGINAL DRAFT PASSED BY THE ASSEMBLY JUNE 20) ALLOWS THE GOVERNMENT OF SIKKIM DISCRETION "FOR THE SPEEDY DEVELOPMENT OF SIKKIM IN THE SOCIAL, ECONOMIC AND POLITICAL FIELDS" TO ASK THE GOI TO INCLUDE SIKKIMESE DEVELOPMENT WITHIN THE WORK OF THE GOI PLANNING COMMISSION AND TO ASSOCIATE SIKKIMESE OFFICIALS WITH THIS; TO PROVIDE POSITIONS FOR PEOPLE FROM SIKKIM IN THE ALL-INDIA SERVICES; AND TO "SEEK PARTICIPATION AND REPRESENTATION FOR THE PEOPLE OF SIKKIM IN THE POLITICAL INSITUTIONS OF INDIA." THIS ARTICLE IS ONE TO WHICH THE CHOGYAL APPARENTLY TOOK SPECIFIC EXCEPTION IN TALKING TO THE PRESS ON HIS ARRIVAL IN DELHI JUNE 25.

4. EMBASSY IS POUCHING COPIES OF THE TEXT OF THE BILL TO INR/RNA/SOA AND TO NEA/INS.

SCHNEIDER

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